

REMARKS

Applicant thanks the Examiner for examining the application. Claims 1-32 are now pending.

Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 3, 7-8, 10, 14-17, 20-22, 24, 26-28, and 30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,463,471 to Dreke et al. in view of U.S. Published Patent Application No. 2003/008046 to Mathis.

Applicant's independent claim 8 requires, among other things, receive, from the content subscriber, a subscription request for presence information; insert an address within a notification message in response to receiving the subscription request, the address relating to the presence information transmitted using a one-to-many transmission channel; and transmit the notification message to the content subscriber, the address of the notification message allowing the content subscriber to subscribe to the presence information using the one-to-many transmission channel. The Examiner cited to col. 4 lines 3-12 and 19-48, as well as col. 5 lines 20-21, of Dreke et al. as teaching or suggesting these limitations (except for using a one-to-many transmission channel, which the Examiner makes clear Dreke et al. does not teach).

However, Dreke et al. does not teach or suggest receive, from the content subscriber, a subscription request for presence information; insert an address within a notification message in response to receiving the subscription request, the address relating to the presence information transmitted using a one-to-many transmission channel; and transmit the notification message to the content subscriber, the address of the notification message allowing the content subscriber to subscribe to the presence information using the one-to-many transmission channel, as all required by Applicant's independent claim 8.

Similar to the other art previously cited by the Examiner during the prosecution of this application, Dreke et al. fails to teach or suggest receiving **a subscription request** for presence information, inserting an address within a notification message in response to receiving the subscription request, **the address relating to the presence**

information, and transmitting the notification message to the content subscriber, the address of the notification message allowing the content subscriber **to subscribe to the presence information**.

In contrast, Dreke et al. teaches a system whereby one of a number of peers (designated Peer A in the cited text of Dreke et al.) transmits, from a Internet Presence Information Server (IPIS), a list of peers whose Internet presence are of interest to Peer A, and a request for a list of peers who have told the IPIS that they are interested in the presence of Peer A; see col. 4 lines 5-8. The IPIS then transmits to Peer A a list including “the last known address, such as the IP address for Peer B and Peer C”, col. 4 lines 10-12. Peer A then attempts to validate those IP addresses by attempting to contact Peer B and Peer C, respectively, by using those addresses; see col. 4 lines 19-20. Peer A is able to validate the address of Peer C, because Peer C is still online at the IP address sent by the IPIS to Peer A; see col. 4 lines 29-34. Then, Peer A is able to determine if Peer C ever goes offline by periodically “pinging” Peer C, that is, using the well known TCP/IP “ping” command to contact Peer C, and if an appropriate response is received, Peer A knows that Peer C is still online; see col. 4 lines 37-44. Peer C can track those other peers watching Peer C, and will notify such peers when Peer C goes offline; see col. 4 lines 44-48.

This system, however, does not teach or suggest Applicant’s claim 8. Simply stated, there is no subscription taught or suggested by Dreke et al. The IPIS does not receive a subscription request for presence information from Peer A, as required by Applicant’s independent claim 8. Rather, the IPIS receives a **list** of those other peers Peer A wants to be able to contact to determine their presence. The address the IPIS ultimately transmits back to Peer A does not relate to presence information, and indeed has nothing to do with presence information; thus, Dreke et al. does not teach or suggest inserting anything into or transmitting a notification message, as defined throughout Applicant’s claims. Rather, the IPIS places the last known IP address of the peers on the list received from Peer A in a message, and sends those IP address to Peer A. In other words, the IPIS provides Peer A with a location address, and not an address that allows Peer A to subscribe to presence information. In fact, the IPIS could

not do this, because at no point does Dreke et al. teach or even suggest that Peer A subscribes to anything. Rather, Peer A attempts to contact peer(s) using the IP address(es) provided by the IPIS. If Peer A is able to contact another peer, Peer A then pings that peer to learn if it has gone offline. Pinging, which is well-known in the art, is not subscribing to presence information by using the address provided in the notification message. Further, though Peer C is able to notify Peer A when Peer C goes offline, this is not achieved through use of the address received from the IPIS, or because Peer A has subscribed to presence information using that address. Rather, Peer C is informed, similar to Peer A, through communications with the IPIS, that Peer A is interested in the presence of Peer C. There is no subscription request, notification message, or an address in a notification message that allows the entity that sent the subscription request to subscribe to presence information. In other words, there is nothing in Dreke et al. that teaches or suggests any of the limitations of Applicant's independent claim 8.

Thus, for any of the reasons given above, Dreke et al., either alone or in combination with Mathis, does not teach or suggest Applicant's independent claim 8. Therefore, Applicant's independent claim 8 is allowable over Dreke et al. in view of Mathis.

Applicant's independent claims 1, 15, and 16 all include limitations similar to those of Applicant's allowable independent claim 8. Therefore, for at least the reason(s) given above with regards to Applicant's allowable independent claim 8, Applicant's independent claims 1, 15, and 16 are themselves not obvious in light of Sylvain in view of Mathis, and thus, Applicant's independent claims 1, 15, and 16 are allowable over the combination of Sylvain with Mathis.

Further, Applicant's independent claims 17, 22, and 27-28 all include at least two limitations similar to those of Applicant's allowable independent claim 8, namely, transmitting a first subscription request for the presence information to a computerized device; and receiving, in response to transmitting the subscription request, a notification message from the computerized device, the notification message having an address

relating to the presence information transmitted using a one-to-many transmission channel. As explained above with regards to Applicant's independent claim 8, Dreke et al. fails to teach or suggest either of these limitations, as well as the further limitation of transmitting a second subscription request for the presence information. Thus, for any of the reasons given above with regards to Applicant's independent claim 8, Dreke et al., either alone or in combination with Mathis, does not teach or suggest Applicant's independent claims 17, 22, and 27-28. Therefore, Applicant's independent claims 17, 22, and 27-28 are themselves allowable over Dreke et al. in view of Mathis.

Applicant's dependent claims 3 and 7 depend from Applicant's allowable independent claim 1. Applicant's dependent claims 10 and 14 depend from Applicant's allowable independent claim 8. Applicant's 20-21 and 30 depend from Applicant's allowable independent claim 17. Applicant's dependent claims 24 and 26 depend from Applicant's allowable independent claim 22.

Therefore, for any of the reasons given above, neither Dreke et al. nor Mathis, either alone or in combination, teach or suggest Applicant's dependent claims 3, 7, 10, 14, 20-21, 24, 26, and 30, and thus Applicant's dependent claims 3, 7, 10, 14, 20-21, 24, 26, and 30 are themselves allowable over Dreke et al. in view of Mathis.

The Examiner next rejected claims 2, 9, 18, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Dreke et al. in view of Mathis and further in view of U.S. Published Patent Application No. 2004/0098491 to Costa-Requena et al.

Applicant's dependent claims 2, 9, 18, and 23 depend from, respectively, Applicant's allowable independent claims 1, 8, 17, and 22. Therefore, for at least the reason(s) given above with regards to Applicant's allowable independent claims 1, 8, 17, and 22, Applicant's dependent claims 2, 9, 18, and 23 are themselves not obvious in light of Dreke et al. in view of Mathis and further in view of Costa-Requena et al., and thus, Applicant's dependent claims 2, 9, 18, and 23 are allowable over the combination of Dreke et al. with Mathis and with Costa-Requena et al.

The Examiner next rejected claims 4 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Dreke et al. in view of Mathis and further in view of U.S. Published Patent Application No. 2003/0115283 to Barbir et al.

Applicant's dependent claims 4 and 11 depend from, respectively, Applicant's allowable independent claims 1 and 8. Therefore, for at least the reason(s) given above with regards to Applicant's allowable independent claims 1 and 8, Applicant's dependent claims 4 and 11 are themselves not obvious in light of Dreke et al. in view of Mathis and further in view of Barbir et al., and thus, Applicant's dependent claims 4 and 11 are allowable over the combination of Dreke et al. with Mathis and with Barbir et al.

The Examiner next rejected claims 5 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Dreke et al. in view of Mathis in view of Barbir et al. and further in view of U.S. Published Patent Application No. 2003/0217099 to Bobde et al.

Applicant's dependent claims 5 and 12 depend from, respectively, Applicant's allowable independent claims 1 and 8. Therefore, for at least the reason(s) given above with regards to Applicant's allowable independent claims 1 and 8, Applicant's dependent claims 5 and 12 are themselves not obvious in light of Dreke et al. in view of Mathis in view of Barbir et al. and further in view of Bobde et al., and thus, Applicant's dependent claims 4 and 11 are allowable over the combination of Dreke et al. with Mathis and with Barbir et al. and with Bobde et al.

The Examiner next rejected claims 6, 13, 19, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Dreke et al. in view of Mathis and further in view of U.S. Patent No. 6,813,501 to Kinnunen et al.

Applicant's dependent claims 6, 13, 19, and 25 depend from, respectively, Applicant's allowable independent claims 1, 8, 17, and 22. Therefore, for at least the reason(s) given above with regards to Applicant's allowable independent claims 1, 8, 17, and 22, Applicant's dependent claims 6, 13, 19, and 25 are themselves not obvious in light of Dreke et al. in view of Mathis and further in view of Kinnunen et al., and thus,

Applicant's dependent claims 6, 13, 19, and 25 are allowable over the combination of Dreke et al. with Mathis and with Kinnunen et al.

The Examiner next rejected claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Dreke et al. in view of Mathis in view of Kinnunen et al. and further in view of Bobde et al. and U.S. Published Patent Application No. 2004/0158608 to Friedman.

Applicant continues to respectfully submit that, when an Examiner needs to combine **five separate references** in order to maintain a rejection of a claim under § 103(a), and the Examiner must also provide proper suggestions or motivations to combine all five references, the Examiner is stretching the term "obvious" past its breaking point. Indeed, Applicant finds it hard to believe that anything requiring a combination of five separate references is obvious

In any case, Applicant's dependent claim 29 depends from Applicant's allowable independent claim 1. Therefore, for at least the reason(s) given above with regards to Applicant's allowable independent claim 1, Applicant's dependent claim 29 is itself not obvious in light of Dreke et al. in view of Mathis in view of Kinnunen et al. and further in view of Bobde et al. and Friedman, and thus, Applicant's dependent claim 29 is allowable over the combination of Dreke et al. with Mathis and with Kinnunen et al. and with Bobde et al. and with Friedman.

Finally, the Examiner rejected claims 31-32 under 35 U.S.C. § 103(a) as being unpatentable over Dreke et al. in view of Mathis and further in view of U.S. Patent No. 6,122,372 to Hughes.

Applicant's dependent claims 31-32 depend from, respectively, Applicant's allowable independent claims 1 and 8. Therefore, for at least the reason(s) given above with regards to Applicant's allowable independent claims 1 and 8, Applicant's dependent claims 31-32 are themselves not obvious in light of Dreke et al. in view of Mathis in view of Hughes, and thus, Applicant's dependent claims 4 and 11 are allowable over the combination of Dreke et al. with Mathis and with Hughes.

CONCLUSION

Applicant believes this Amendment and Response to be fully responsive to the present Office Action. Thus, based on the foregoing Remarks, Applicant respectfully submits that this application is in condition for allowance. Accordingly, Applicant requests allowance of the application.

Applicant hereby petitions for any extension of time required to maintain the pendency of this case. If there is any fee occasioned by this response that is not paid, please charge any deficiency to Deposit Account No. 50-3735.

Should the enclosed papers or fees be considered incomplete, Applicant respectfully requests that the Patent Office contact the undersigned collect at the telephone number provided below.

Applicant invites the Examiner to contact the Applicant's undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,

/SPM/

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